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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,956	10/30/2003	Thomas S. Mason	D-1173 R	7798
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RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256			EXAMINER KIM, TAE W	
			ART UNIT 2887	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/697,956

Applicant(s)

MASON ET AL.

Examiner

TAE W. KIM

Art Unit

2887

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-34 is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 22-31 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3, 5-7, and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watari (US 20010003345 A1) in view of Sawada (US 5835816 A).

Re claim 1: Watari discloses a method of operating an automated banking machine adapted to dispense cash (fig 2 & 3), and to provide receipts for transactions conducted with the machine (24 in fig 3, par 0048), comprising: (a) determining jam event indications (par 0137), (b) generating a jam signal responsive to (a) (par 0137).

However, Watari does not disclose or fairly suggest (a) determining at least two consecutive receipt jam event indications involving at least two receipts, (b) generating a receipt jam signal responsive to (a).

Sawada however discloses (a) determining at least two consecutive jam event indications involving at least two sheets (step S20 in fig 6B, col 6 lines 21-26; "preselected value"), (b) generating a jam signal responsive to (a) (S21 in fig 6B, col 6 lines 21-26: "alarm information is sent to the control unit").

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Sawada's teaching in Watari's method for the purpose of determining whether a serviceman needs to be sent.

Re claim 2: Watari modified by Sawada discloses the method according to claim 1 wherein (a) includes determining at least two consecutive receipt jam event indications associated with at least two consecutively printed receipts (Sawada: steps S20-S21 in fig 6B, col 6 lines 21-26, col 1 lines 6-10: "printers").

Re claim 3: Watari modified by Sawada discloses the method according to claim 2 wherein (a) includes a first jam event indication involving a first receipt and a second jam event indication involving a second receipt, wherein the first jam indication involves only a single receipt (steps S17-S18 in fig 6B).

Re claim 5: Watari modified by Sawada discloses the method according to claim 1 and further comprising a controller (par 0058. 0137), wherein (b) includes generating the receipt jam signal responsive to operation of the controller (par 0058. 0137).

Re claim 6: Watari modified by Sawada discloses the method according to claim 1 wherein (a) further includes

(i) printing a first receipt with a printer in the machine responsive to a first transaction conducted through operation of the machine (par 0053: "The receipt dispensing outlet 24, connected to the RPU (not shown), dispenses a detailed statement of use (i.e., receipt) which indicates a result of transaction."),

(ii) moving the first receipt to adjacent a receipt outlet (24 in fig 3, par 0048) of the machine, wherein receipts (par 0053),

However, Watari does not disclose that the receipts are sensed adjacent the receipt outlet and generally extend through the receipt outlet and are accessible to a user and (iii) sensing that the first receipt adjacent the receipt outlet is not removed within a first time period, after the first receipt is moved adjacent to the receipt outlet.

Watari however discloses that the bill are sensed adjacent the bill dispensing outlet (par 0138) and generally extend through the bill dispensing outlet and are accessible to a user (par 0142; “bills 41 projected from the bill dispensing outlet...”) and (iii) sensing that the first bill adjacent the bill dispensing outlet is not removed within a first time period, after the first bill is moved adjacent to the bill dispensing outlet (par 0145).

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Watari’s teaching about the steps of detecting bills adjacent the bill dispensing outlet to the method of Watari modified by Sawada with regard to dispensing receipts for the purpose of being able to detect when a user does not take the receipt.

Re claim 7: Watari modified by Sawada discloses the method according to claim 6 wherein (a) further includes

(iv) printing a second receipt with the printer responsive to a second transaction conducted through operation of the machine, (par 0053: “The receipt dispensing outlet 24, connected to the RPU (not shown), dispenses a detailed statement of use (i.e., receipt) which indicates a result of transaction.”),

(v) moving the second receipt to adjacent the receipt outlet (24 in fig 3, par 0048). These are steps already discloses under claim 6, but with a second receipt. It is obvious that these steps

are not confined to be executed only one time for only one single receipt. Therefore, it is obvious that these steps would repeat for a second receipt.

However, Watari does not disclose

(vi) sensing that at least one of the first receipt and second receipt is adjacent the receipt outlet a second time period after the second receipt is moved adjacent to the receipt outlet.

Watari however discloses disclose that at least one of the first bill and second bill is adjacent the bill dispensing outlet (par 0138) a second time period after the second receipt is moved adjacent to the receipt outlet (par 0145). These are steps already discloses under claim 6, but with a second receipt and a second time period. It is obvious that these steps are not confined to be executed only one time for only one single receipt in Watari. Therefore, it is obvious that these steps would repeat for a second receipt and a second time period.

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Watari's teaching about the steps of detecting bills adjacent the bill dispensing outlet to the method of Watari modified by Sawada with regard to dispensing receipts for the purpose of being able to detect when a user does not take the receipt.

Re claim 15: Watari modified by Sawada discloses the method according to claim 7 wherein (a) includes prior to (iv) attempting to retract the first receipt in the machine away from the receipt outlet with a receipt retraction device (1022 in fig 15B, par 0145).

Re claim 16: Watari modified by Sawada discloses the method according to claim 15 wherein (a) includes prior to (iv), sensing that the first receipt is not retracted away from the

receipt outlet through an operation of the receipt retraction device (1022 in fig 15B, par 0145: if the user takes all of the bills, then this would be the case).

Re claim 17: Watari modified by Sawada discloses the method according to claim 15 wherein (a) includes prior to (iv), sensing that the first receipt is retracted away from the receipt outlet through operation of the receipt retraction device (1022 in fig 15B, par 0145).

Re claim 18: Watari discloses a method of operating an automated banking machine adapted to dispense cash (fig 2 & 3) and to provide receipts for transactions conducted with the machine (24 in fig 3, par 0048), comprising: (a) determining indication of a jam event (par 0137).

However, Watari does not disclose or fairly suggest a) determining indication of a receipt jam event associated with a first receipt, (b) subsequent to (a), determining indication of a receipt jam event associated with a second receipt, (c) generating a receipt jam signal responsive to both (a) and (b).

Sawada however discloses a) determining indication of a receipt jam event associated with a first receipt, (b) subsequent to (a), determining indication of a receipt jam event associated with a second receipt (step S20 in fig 6B, col 6 lines 21-26; “preselected value”), (c) generating a receipt jam signal responsive to both (a) and (b) (S21 in fig 6B, col 6 lines 21-26: “alarm information is sent to the control unit”).

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Sawada’s teaching in Watari’s method for the purpose of determining whether a serviceman needs to be sent.

Re claim 19: Watari modified by Sawada discloses the method according to claim 18 and further comprising: (d) prior to (a), printing the first receipt, through operation of the machine, (e) subsequent to (a), printing the second receipt through operation of the machine (par 0046: “a receipt printer unit (RPU)”, par 0053: “The receipt dispensing outlet 24, connected to the RPU (not shown), dispenses a detailed statement of use (i.e., receipt)).

Re claim 20: Watari modified by Sawada discloses the method according to claim 19 wherein (e) includes sequentially printing the second receipt after the first receipt (Sawada: steps S20-S21 in fig 6B, col 6 lines 21-26).

Re claim 21: Watari discloses a method of operating an automated banking machine adapted to dispense cash (fig 2 & 3) and to provide receipts for transactions conducted at the machine (24 in fig 3, par 0048), wherein the machine includes a receipt outlet (24 in fig 3, par 0048), wherein a receipt at the outlet is accessible to a user of the machine, and wherein the machine includes a receipt retraction device in operative connection with the outlet (1022 in fig 15B, par 0145):

However, Watari does not disclose or fairly suggest

- (a) printing a first receipt with a printing device in the machine,
- (b) directing the first receipt along a receipt path toward the receipt outlet,
- (c) determining either (i) the first receipt failing to reach the receipt outlet, or both (ii) the first receipt reaching the receipt outlet, and (iii) the retraction device failing to retract the first receipt,
- (d) subsequent to (c), printing at least one second receipt through operation of the printing device, wherein the at least one second receipt sequentially follows the first receipt,

(e) directing the at least one second receipt along the receipt path toward the receipt outlet,

(f) determining the at least one second receipt failing to reach the outlet,

(g) generating a receipt jam signal responsive to both (c) and (f).

Sawada however discloses

(a) printing (col 1 lines 6-10: “printers”) a first paper with a printing device in the machine (S10-S12 in fig 6A),

(b) directing the first paper along a paper path toward the paper outlet (fig 2, col 4 lines 1-25: “paper transport path”, “Subsequently, the paper or copy P is driven out of the copier 1.”),

(c) determining either (i) the first receipt failing to reach the receipt outlet (S17-S18 in fig 6B), or both (ii) the first receipt reaching the receipt outlet, and (iii) the retraction device failing to retract the first receipt,

(d) subsequent to (c), printing at least one second receipt through operation of the printing device, wherein the at least one second receipt sequentially follows the first receipt (Because the steps illustrated by Sawada’s fig 6 is not one time event, at least one second receipt, would follow the first receipt.),

(e) directing the at least one second receipt along the receipt path toward the receipt outlet (fig 2, col 4 lines 1-25: “paper transport path”, “Subsequently, the paper or copy P is driven out of the copier 1.”)

(f) determining the at least one second receipt failing to reach the outlet (S17-S18 in fig 6B),

(g) generating a receipt jam signal responsive to both (c) and (f) (steps S20-S21 in fig 6B, col 6 lines 21-26; the pre-selected value can be any value including “2”)

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Sawada’s teaching in Watari’s method for the purpose of determining whether a serviceman needs to be sent.

3. Claims 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watari (US 20010003345 A1) modified by Sawada (US 5835816 A) in view of Graef (US 20020036159 A1).

Re claim 8: Watari modified by Sawada discloses the method according to claim 7.

However, Watari modified by Sawada does not disclose storing in a data store user identifying data associated with a user conducting the first transaction, and

storing in a data store user identifying data associated with a user conducting the second transaction.

Graef however discloses storing in a data store user identifying data associated with a user conducting a first transaction (par 0048: “biometric readers”, par 0067), and

storing in a data store user identifying data associated with a user conducting a second transaction (the steps would be the same as the first transaction).

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Graef’s teaching in the method of Watari modified by Sawada for the purpose of being able to authenticate and authorize user access.

Re claim 9: Watari modified by Sawada and Graef discloses the method according to claim 8 and prior to (a) 10 c) storing in a data store, user identifying data associated with a prior user conducting a prior transaction conducted with the machine prior to the first transaction. (Graef; par 0048, 0067: User identifying information is stored in a data store for every user transactions)

Re claim 10: Watari modified by Sawada and Graef discloses the method according to claim 9 wherein (c) includes storing data corresponding to at least one input to the machine by the prior user (Graef: par 0048, 0071: "journals").

Re claim 11: Watari modified by Sawada and Graef discloses the method according to claim 9 and prior to (c) storing in a data store data corresponding to an image of at least a portion of the prior user (Graef: par 0048), and wherein (c) includes associating the image with the at least one input (Graef: par 0048, 0071: "journals").

Re claim 12: Watari modified by Sawada and Graef discloses the method according to claim 9 and prior to (c) further comprising storing in a data store user identifying data associated with at least one earlier user conducting a transaction with the machine prior to the prior user (Graef; par 0048, 0067: User identifying information is stored in a data store for every user transactions).

Re claim 13: Watari modified by Sawada and Graef discloses the method according to claim 12 and further comprising: analyzing user identifying data identifying users of the machine associated with transactions associated with an event and transactions prior an event (Graef; par 0048, 0067: User identifying information is stored in a data store for every user transactions) for

purposes of identifying who may have tampered with the machine (This desired outcome is achieved by storing user identifying information in a data store for every user transactions).

However, Watari modified by Sawada and Graef does not disclose that the associated event is receipt jam indications.

Watari however discloses receipt jam indications (par 0137).

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Watari's further teaching in the method of Watari modified by Sawada and Graef for the purpose of identifying particular transactions and/or particular who may have tampered with the machine.

Re claim 14: Watari modified by Sawada and Graef discloses the method according to claim 7 and prior to (a) further comprising: storing in a data store, data identifying an individual adjacent to the machine prior to the first transaction (Graef, par 0048, 0067: User identifying information is stored in a data store for every user transactions).

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watari (US 20010003345 A1) modified by Sawada (US 5835816 A) in view of Howard (US 20020126849 A1).

Re claim 4: Watari modified by Sawada discloses the method according to claim 1 wherein in (a) at least one jam event indication involves at least one receipt.

However, Watari does not disclose or fairly suggest that the receipt is a dummy receipt.

Howard however discloses a dummy form for printing a test pattern.

Therefore, it would have been obvious at the time the invention was made to a person having ordinarily skill in the art to incorporate Howard's teaching in the method of Watari modified by Sawada for the purpose of testing too verify either that a jam problem does nor exist or that a jam problem has been repaired before allowing the ATM to print customer receipts.

Allowable Subject Matter

5. Claims 22-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: With respect to claims 22-31, the prior art or record, taken alone or in combination, fails to teach or fairly suggest at least the method according to claim 21 wherein (d) includes printing a second receipt, wherein the second receipt sequentially immediately follows the first receipt, wherein (e) includes directing the second receipt along the receipt path toward the outlet, and wherein (f) includes determining the second receipt failing to reach the outlet.

Claims 32-34 are allowed.

The following is an examiner's statement of reasons for allowance: With respect to claims 22-31, the prior art or record, taken alone or in combination, fails to teach or fairly suggest at least an article comprising computer readable media bearing instructions executable by at least one processor in an automated banking machine including a cash dispenser, and which is operative to cause the automated banking machine to carry out a method comprising:

a) sensing failure to deliver a first receipt from the machine that is associated with a first transaction conducted through operation of the machine,

b) sensing failure to deliver a second receipt from the machine that is associated with a second transaction conducted through operation of the machine sequentially immediately after the first transaction, c) generating at least one signal responsive to the occurrence of both (a) and (b).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAE W. KIM whose telephone number is (571)272-5971. The examiner can normally be reached on Mon-Fri 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve S. Paik can be reached on 571-272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2887

/Tae W Kim/

Examiner, Art Unit 2887

/Karl D Frech/

Primary Examiner, Art Unit 2887